

MORRIS, JAMES, HITCHENS & WILLIAMS LLP

222 Delaware Avenue, 10th Floor
Wilmington, Delaware 19801-1621
(302) 888-6800
Facsimile (302) 571-1750
www.morrisjames.com

Edward M. McNally
(302) 888-6880
emcnally@morrisjames.com

Mailing Address
P.O. Box 2306
Wilmington, DE 19899-2306

December 12, 2005

VIA CM/ECF AND HAND DELIVERY

The Honorable Gregory M. Sleet
United States District Court
844 North King Street
Lock Box 19
Wilmington, DE 19801

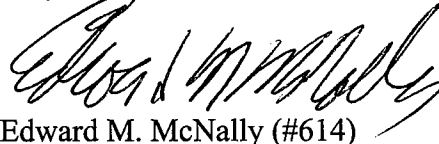
RE: Lieberman v. State of Delaware, et al.
U.S.D.C., C.A. No. 96-523-SLR

Dear Judge Sleet:

I am the Court-Appointed Counsel for Plaintiff, Elberta Bernice Lieberman, in this action. Enclosed is a courtesy copy of her Motion For Leave To Amend The Scheduling Order which I have filed today. Counsel for the State, Marc Niedzielski, is on vacation. I have filed the motion not wanting to delay it any further. When Mr. Niedzielski returns, I will take up with him the State's response to that motion.

While the motion seeks a limited extension of the Scheduling Order, I fully recognize that extension may impact the other dates in the Order, including the trial date. For that reason, I have not attached a proposed form of order to the motion. I appreciate that if the Court was inclined to grant the motion, some further discussion would be required because of the impact it will have on the other pre-trial and trial dates.

Respectfully Submitted,



Edward M. McNally (#614)

EMM/gca
Enclosure

cc: Clerk of the District Court (via CM/ECF)
Marc P. Niedzielski, Esquire (via CM/ECF)